

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

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|------------------------------------|---|-------------------------------------|
| Levi and Adrienne (Goble) Teel, |) | |
| Complainants |) | |
| v. |) | <u>File No. MC-2020-0250</u> |
| Clayton Homes, Champion Homes, and |) | |
| Bill Hembree, |) | |
| Respondents |) | |

ORDER GIVING NOTICE OF CONTESTED CASE, DIRECTING AN ANSWER, AND ORDERING A STAFF INVESTIGATION AND REPORT

Issue Date: February 24, 2020

Effective Date: February 24, 2020

On February 20, 2020, the Staff of the Commission filed a motion to open a formal complaint on behalf of Levi and Adrienne Teel, Complainants, against Clayton Homes, Champion Homes, and Bill Hembree, Respondents. Commission rule 20 CSR 4240-2.070(1) authorizes Staff counsel to file a complaint. A copy of Staff's motion and attachments serve as the complaint and accompany this notice. This is a contested case¹ pursuant to Section 386.390, RSMo.

As required by Section 536.067(2)(f), RSMo, the Commission informs the parties that the Commission's provisions governing procedures before the Commission, including provisions relating to discovery, are found at Commission Rule 20 CSR 4240-2.090.

¹ A "[c]ontested case' means a proceeding before an agency in which legal rights, duties or privileges of specific parties are required by law to be determined after hearing." Section 536.010.4, RSMo.

Under Commission rule 20 CSR 4240-2.070 (8),(9) and (10), Respondents have 30 days from the date of this notice to file a response to the complaint, or risk the allegations being deemed admitted and the Commission issuing a default order. A copy of the response shall be served upon the Teels at their address.

Pursuant to Commission rule 20 CSR 4240-2.070(11), the Commission will also direct the Staff of the Commission to investigate this complaint and file a report.

As an alternative to the formal evidentiary hearing procedure, the Commission offers mediation. Mediation is a voluntary process in which a neutral person assists the parties in exploring opportunities for settlement. Upon a written request for mediation, the Commission may suspend the schedule set forth in this order.

The Commission will open the complaint case as Staff requests, give notice, allow time to answer the complaint, and direct Staff to investigate the complaint and file a report.

THE COMMISSION ORDERS THAT:

1. Respondents Clayton Homes, Champion Homes, and Bill Hembree, shall file a response to this complaint no later than March 25, 2020.
2. The Staff of the Commission shall investigate and file a report of this complaint no later than April 24, 2020.
3. The Commission's Data Center shall send, by certified mail, a copy of this notice and order and a copy of the motion and attachments to open this complaint to:

Champion Home Builders
Legal Department
2073 Evergreen Street
Dresden, TN 38225

Clayton Homes of Lebanon
Legal Department
438 Hwy MM
Lebanon, MO 65536

Bill Hembree
1800 Wilson Creek Road
Galena, MO 65656

4. This order is effective when issued.



BY THE COMMISSION

A handwritten signature in dark ink, reading "Morris L. Woodruff". The signature is written in a cursive style.

Morris L. Woodruff
Secretary

John T. Clark, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 24th day of February, 2020.

THIS MOTION TO
OPEN FORMAL COMPLAINT
HAS BEEN DEEMED
CONFIDENTIAL
IN ITS ENTIRETY



WILLIAM P. KENNEY
Commissioner

VACANT
Commissioner

Missouri Public Service Commission

RYAN A. SILVEY
Chairman

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://psc.mo.gov>

SCOTT T. RUPP
Commissioner

MAIDA J. COLEMAN
Commissioner

Information Sheet Regarding Mediation of Commission Formal Complaint Cases

Mediation is a process where the parties work together to try to resolve their dispute with the aid of a neutral party, the mediator. The mediator's role is help the parties talk to each other. The mediator may offer suggested solutions, but the mediator has no authority to tell the parties what they must do or to determine who "wins." Instead, the mediator simply works with both parties to help them reach an agreement.

Typically, at a mediation session the parties meet for an off-the-record discussion. The mediation session is not a formal proceeding like a hearing and no attorney is required to participate. The Regulatory Law Judges at the Public Service Commission are trained mediators and this service is offered to parties who have formal complaints pending before the Public Service Commission at no charge. If mediation is agreed to by the parties, the Commission will send notice of who the mediator will be and that person will set up the first meeting.

There cannot be a mediation unless both parties to the complaint agree to try in good faith to resolve the dispute. If both parties agree to mediate the complaint, the only information about the mediation that will be disclosed to the Commission is (a) whether the case has been settled and (b) whether the mediation effort was considered to be helpful. The Commission will not ask what was discussed during the mediation.

If the dispute is settled at the mediation, the Commission will require a signed release from the party filing the complaint before the formal complaint case can be dismissed. If the dispute is not resolved through the mediation process, neither party will be penalized for having taken part in the mediation and the formal complaint case will simply pick up where it left off.

Morris L. Woodruff
Secretary

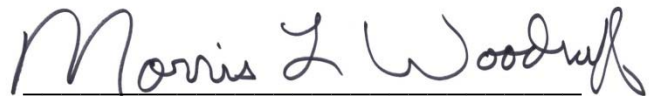
STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

**WITNESS my hand and seal of the Public Service Commission,
at Jefferson City, Missouri, this 24th day of February 2020.**




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

February 24, 2020

File/Case No. MC-2020-0250

**Missouri Public Service
Commission**

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel

Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opc@psc.mo.gov

Adrienne (Goble) Teel

Adrienne Teel
12717 South Highway 63
Vienna, MO 65582

Bill Hembree

Bill Hembree
1800 Wilson Creek Rd.
Galena, MO 65656

Champion Home Builders, Inc.

Legal Department
2073 Evergreen St.
Dresden, TN 38225

Clayton Homes of Lebanon

Legal Department
438 Hwy MM
Lebanon, MO 65536

Levi Teel

Levi Teel
12717 South Highway 63
Vienna, MO 65582

**Missouri Public Service
Commission**

Ron Irving
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
Ron.Irving@psc.mo.gov

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.